

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

HORTENCIA JONES,

Plaintiff,

– against –

SYNCHRONY BANK, EXPERIAN
INFORMATION SOLUTIONS, INC., and
EQUIFAX INFORMATION SERVICES,
LLC,

Defendants.

Case No. 4:24-cv-1663

Removed from the District Court of
Fort Bend County, Texas
240th District Court, Cause No.: 24-DCV-
312917

NOTICE OF REMOVAL

Defendant Synchrony Bank (“Synchrony”), by counsel, pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, hereby notices removal of the state-court civil action known as *Hortencia Jones v. Synchrony Bank, et al.*, from the District Court of Fort Bend County, Texas, 240th District Court, to the United States District Court for the Southern District of Texas, and in support thereof states as follows:

PROCEDURAL HISTORY

1. This action is being removed to federal court based on federal question jurisdiction.
2. On or about February 4, 2024, Plaintiff Hortencia Jones (“Plaintiff”) filed her Original Petition in the District Court of Fort Bend County, Texas, 240th District Court (the “State Court Action”). A true and correct copy of the Complaint is attached hereto as **Exhibit A**.
3. The Original Petition was served on Synchrony on April 11, 2024. A true and correct copy of the Citation served on Synchrony on April 11, 2024 is attached hereto as **Exhibit B**.

4. As set forth more fully below, this case is properly removed to this Court pursuant to 28 U.S.C. § 1441 because Synchrony has satisfied the procedural requirements for removal and this Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331.

GROUND FOR REMOVAL

I. Synchrony Has Satisfied The Procedural Requirements For Removal.

5. Synchrony was served with the Complaint on April 11, 2024. Therefore, under 28 U.S.C. § 1446(b), this Notice of Removal is timely as it was filed within the 30-day deadline.

6. Concurrently with the filing of this Notice of Removal, Synchrony is giving written notice of removal to Plaintiff (by serving Plaintiff with a copy of this Notice of Removal, together with all exhibits) and by filing a copy of this Notice of Removal with the Clerk of the State Court pursuant to 28 U.S.C. § 1446(d).

7. At the time of this filing, Defendant's Experian Information Solutions, Inc. and Equifax Information Services, LLC, have not been served.

II. Removal Is Proper Because This Court Has Subject Matter Jurisdiction.

8. United States District Courts are vested with jurisdiction to consider cases or controversies "arising under" the laws of the United States of America. *See* 28 U.S.C. § 1331.

9. Removal of such cases is governed by 28 U.S.C. § 1441(a). Section 1441(a) provides that "any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending." *See* 28 U.S.C. § 1441(a).

10. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, because this matter involves a federal question. Namely, Plaintiff's Original Petition asserts a

claim against Synchrony for alleged violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* (the “FCRA”). *See* Original Petition at p. 1.

11. Plaintiff’s Original Petition alleges violations of a federal statute—the FCRA—and consequently the claims “arise[] under” the laws of the United States. *See* 28 U.S.C. § 1331. Therefore, this Court may properly exercise jurisdiction over Plaintiff’s claims.

12. Synchrony has not attempted to remove this case previously.

13. Given that the requirements for federal question jurisdiction are satisfied, this case is properly removed.

14. Venue lies with this Court because the State Court Action is pending in the District Court of Fort Bend County, Texas, 240th District Court, which is within the Southern District of Texas. *See* 28 U.S.C. §§ 1441 and 1446(a).

III. COMPLIANCE WITH LOCAL RULE 81

15. In compliance with Local Rule 81, Synchrony attaches the exhibits referenced below:

- a. Pleadings asserting causes of action, e.g., petitions, counterclaims, cross actions, third-party actions, interventions, and all answers to such pleadings, attached as **Exhibit A**;
- b. All executed process in the case, attached as **Exhibit B**;
- c. The docket sheet, attached as **Exhibit C**;
- d. An index of matters being filed, attached as **Exhibit D**; and
- e. A list of all counsel of record, including addresses, telephone numbers, and parties represented, attached as **Exhibit E**.

IV. CONCLUSION

Defendant Synchrony Bank, by counsel, respectfully removes this action from the District Court of Fort Bend County, Texas, 240th District Court to this Court pursuant to 28 U.S.C. §§ 1441 and 1446, and requests that this Court retain jurisdiction for all further proceedings in this matter.

Dated May 2, 2024

Respectfully submitted,

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/s/ Cheryl L. Blount

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***Attorney for Defendant Synchrony
Bank***

CERTIFICATE OF SERVICE

I certify that on May 2, 2024 a true and correct copy of the foregoing was served in compliance with the Federal Rules of Civil Procedure on:

Thomas J. Bellinder

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/s/ Cheryl L. Blount

Cheryl L. Blount